

Notice of Allowability

Application No.

10/715,403

Examiner

Edna Wong

Applicant(s)

MATSUO ET AL.

Art Unit

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment dated September 22, 2005.
2. ☒ The allowed claim(s) is/are 3-10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

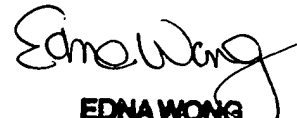
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


EDNA WONG
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

IN THE CLAIMS

Claims **1 and 2** have been cancelled.

This application is in condition for allowance except for the presence of claims 1 to 2 non-elected without traverse. Accordingly, claims 1 and 2 have been cancelled.

Claim 8, line 3, the word "then" has been deleted.

Claim 9, line 2, the word "and" has been deleted and replaced with the word -- or

--.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Claims **3, 6-7 and 9-10** are allowable over the prior art of record because the prior art does not teach or suggest a method of manufacturing a negative ion generating medium comprising the step of electrolytically processing as presently claimed.

The prior art does not contain any language that teaches or suggests the above. *Mayer et al.* teaches treating (post-anodic dip) the at least one grained and anodized surface with an aqueous solution comprising at least one salt of a metal from Group IB, IIB, IVA, IVB, VB, VIA, VIB, VIIB or VIII of the Periodic Table (col. 3, lines 7-10). Various coating techniques may be employed for application of the salt, such as electrochemical coating (col. 3, lines 25-28). There is no doping of the anodizing solution with the at least one salt of the metal. Therefore, a person skilled in the art would not have been motivated to adopt the above conditions, and a prima facie case of obviousness cannot be established.

Claims **4-5 and 8-10** are allowable over the prior art of record because the prior art does not teach or suggest a method of manufacturing a negative ion generating medium comprising the step of electrolytically processing as presently claimed.

The prior art does not contain any language that teaches or suggests the above. *Mayer et al.* teaches treating (post-anodic dip) the at least one grained and anodized surface with an aqueous solution comprising at least one salt of a metal from Group IB, IIB, IVA, IVB, VB, VIA, VIB, VIIB or VIII of the Periodic Table (col. 3, lines 7-10). Various coating techniques may be employed for application of the salt, such as electrochemical coating (col. 3, lines 25-28). However, *Mayer et al.* does not teach using an electrolyte liquid of sulfuric acid, oxalic acid, phosphoric acid, or their two or three combination doped with a negative ion generating metal salt. Therefore, a person skilled in the art would not have been motivated to adopt the above conditions, and a prima facie case of

obviousness cannot be established.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

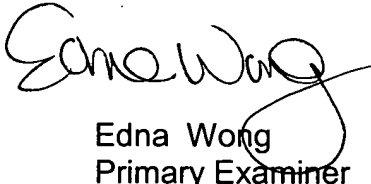
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edna Wong whose telephone number is (571) 272-1349. The examiner can normally be reached on Mon-Fri 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Edna Wong
Primary Examiner
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EW
September 30, 2005